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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,541	09/30/2003	Richard K. Riefe	DP-308558	5753
22851	7590	04/03/2006	EXAMINER	
DELPHI TECHNOLOGIES, INC.			JOYCE, WILLIAM C	
M/C 480-410-202			ART UNIT	
PO BOX 5052			PAPER NUMBER	
TROY, MI 48007			3682	

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,541	Applicant(s) RIEFE ET AL.	
	Examiner William C. Joyce	Art Unit 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

This is the First Office Action in response to the above identified patent application filed on September 30, 2003.

Specification

1. The disclosure is objected to because of the following informalities: In section 17 found on page 4, the description defining the teeth (46) as extending outward appears to be inaccurate because Figure 1 illustrates the teeth as extending in an inward direction. Further, the description "waste portions 52" is not fully understood. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 7-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

-In claims 7 and 14, the limitation defining the teeth (46) as extending "outward" appears to be inaccurate because Figure 1 illustrates the teeth as extending in an inward direction.

-In claims 12 and 14, the limitation "waste portions" is not fully understood.

-In claim 14, the limitation "wherein each of said inner load bearing surfaces extends circumferentially a shorter distance than each of said outer load bearing

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surfaces extend circumferentially and each of said inner load bearing surfaces extend circumferentially a longer distance than each of said outer load bearing surfaces extends circumferentially” is not fully understood. Specifically, is the inner bearing surface longer or shorter than the outer bearing surface?

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fevre et al. (US Patent 5,758,545).

Fevre et al. discloses a telescoping steering column assembly comprising: a lower mounting mechanism for connecting to a body, a lower jacket (3) having inner and outer surfaces connected to said lower mounting mechanism, an upper jacket (2) having inner and outer surfaces and disposed in telescoping relationship with said lower jacket, an upper mounting mechanism for connecting to the body for slidably supporting said upper jacket for telescoping movement relative to said lower jacket between various positions, a linear bushing (Fig 6-7) having leading and trailing ends and side wall disposed between said inner surface of said upper jacket and said outer surface of said lower jacket, and said linear bushing including a plurality of convolutions disposed axially in side-by-side relationship as viewed in cross-section and extending between

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said ends of said bushing to provide outer load bearing surfaces to engage said inner surface of said upper jacket and to provide inner load bearing surfaces to engage said outer surface of said lower jacket and to provide radial walls for flexing to maintain said bearing surfaces in engagement with said jackets to allow said bushing to radially expand and contract.

With respect to claim 6, Fevre et al. discloses (column 7, first paragraph) oil can be added to the sheath.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fevre et al. (US Patent 5,758,545).

Fevre et al. appears to illustrate the inner bearing surface of the bushing having a greater length than the outer bearing surface of the bushing. However, adjusting the length of the inner bearing surface with respect to the outer bearing surface of the bushing is considered to be an obvious design choice. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bushing of Fevre et al. disclose such that the length of the inner bearing surface is larger/smaller than the length of the outer bearing surface, motivation being to provide a

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predetermined amount of resistance between the relatively moving components, and to provide a predetermined amount of bearing surface for supporting each movable component.

8. Claims 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fevre et al. as applied to claims 1-3 above, and further in view of Anspaugh et al. (US Patent 6,655,715) or Fukunaga (US Patent 6,443,491).

Fevre et al. does not teach the lower bracket having teeth, but it was known in the art to form a lower steering bracket with teeth. For example, the prior art to either Anspaugh et al. or Fukunaga teach a lower steering bracket having teeth. Note the teeth (32) of Anspaugh et al. and the teeth (16a, 19b) of Fukunaga. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lower steering bracket of Fevre et al. with a bracket having teeth extending into an aperture, as taught by either Anspaugh et al. or Fukunaga, motivation being to support the steering tube.

With respect to claim 8, Fevre et al. illustrates an upper bracket having a bottom portion, and side walls extending from the bottom portion to define a gap, wherein the side walls extend in a downward direction. Fevre et al. does not teach the side walls extending in an upward direction, however it is understood the steering arrangement of Fevre et al. can be mounted in any orientation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to mount the steering arrangement of Fevre et al. with the side walls extending in an upward direction,

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motivation being to support the steering arrangement from a support structure located below the steering shaft.


Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the bearing member of Johnson ('438), Morita ('454), Jurik et al. ('685), Jurik et al. ('519), Mena ('180), Barnley et al. ('746), and Garland et al. ('478).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Joyce whose telephone number is (571) 272-7107. The examiner can normally be reached on Monday - Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM C. JOYCE
PRIMARY EXAMINER